

BOARD OF NURSING
REGULAR MEETING
JANUARY 28-29, 1999

MEMBERS PRESENT: June Bahr, LPN; Ann Brewer, RN; Tim Burns, CRNA; Joel Garlock; Jackie Johnsrud, RN; Ruth Lindgren, RN; Marilynn Panka, LPN; Linda Sanner, RN; McArthur Weddle

LEGAL COUNSEL: Wayne Austin

STAFF PRESENT: Kimberly Nania, Grace MacLeod, Tom Neumann, Division of Enforcement (portion of meeting)

GUESTS PRESENT: Gina Dennik-Champion, WNA; Sadat Ahiri, UW Nursing Student

CALL TO ORDER

Chairman Tim Burns called the meeting to order at 2:00 p.m.

Ruth Lindgren wanted to let the Board know that she had written up a recommendation to the National Council Board of Directors that Tom Neumann be awarded the R. Louise McManus Award for his distinguished service; she also requested that other state boards support this.

SECRETARY CUMMINGS

Secretary Cummings introduced her new Deputy Secretary, June Suhling.

The Secretary said that the NCSBN Interstate Compact is being drafted for submission to the legislature. It is currently not in the budget bill but may be added. Several other professions regulated by this Department are interested in discussing a similar approach. WNA has supported participation in the Compact Evaluation Initiative, which involves some research. She does not feel that the Department has the resources to do this, although she cannot make a decision on participation until she has more information on how it would impact the Department financially.

The Secretary reported that the registration for massage therapists and bodyworkers is proving to be quite confusing and much more work than was anticipated. Members of other professions, including nurses, are wanting to be registered. She asked for a volunteer to review applications from nurses to see if they include enough course hours in required areas to be registered. Ruth Lindgren volunteered to do this reviewing.

APPROVAL OF AGENDA

Amendments: Interstate Compact
Renewal of a temporary permit for Francine Coleman
Vanessa Mendoza Darrell -- confirmation of Board Order

Requests for removal of license limitations
Additional request for 3-month stay of suspension
Request for suspension of license

MOTION: Linda Sanner moved, seconded by Marilyn Panka, to approve the agenda as amended. Motion carried. unanimously.

ELECTION OF OFFICERS

Jackie Johnsrud nominated Tim Burns for the office of Chairman; this was seconded by Mac Weddle. Vice Chair Ruth Lindgren presided during the voting; Tim Burns was elected Chairman unanimously.

Linda Sanner nominated Ruth Lindgren for the office of Vice Chairman; this was seconded by Mac Weddle. Ruth Lindgren was elected by a unanimous vote.

Marilynn Panka nominated Ann Brewer for the office of Secretary; this was seconded by June Bahr. Ann Brewer was elected by a unanimous vote.

MOTION: Ann Brewer moved, seconded by June Bahr, that all committee members remain as they are now. Motion carried unanimously.

APPROVAL OF MINUTES

MOTION: Ann Brewer moved, seconded by Linda Sanner, to approve the minutes of the special meeting on the Mutual Recognition Model of November 5, 1998. Motion carried unanimously.

In relation to this topic, Kim Nania reported on the National Council meeting she attended for Compact Administrators concerning the Mutual Recognition Model. They worked on rules and hope to have this completed in May. There was some difference of opinion as to whether those who have been disciplined should be able to work under the Compact; it was recommended that from the effective date forward, those who are in the process of discipline and are under a Board Order would not qualify to move to another state until the terms of discipline have been completed.

Gina Dennik-Champion said that WNA has some questions and concerns about the Interstate Compact and is supporting evaluating the effectiveness of the Compact. They are looking for external funding for the research part of this. However, there was discussion as to whether the Department could accept any outside funding. The Chair told Ms. Dennik-Champion that the Board could not support the Compact Evaluation Initiative now. For the present the Board will work with the Department to get the Compact adopted.

MOTION: Jackie Johnsrud moved, seconded by Joel Garlock, to approve the minutes of the meeting of November 5 - 6, 1998, as written. Motion carried unanimously.

RENEWAL OF TEMPORARY PERMIT

The Board considered the request of Francine Coleman for a second renewal of her temporary permit. A check of the rules showed that there was no problem with this.

MOTION: Marilyn Panka moved, seconded by June Bahr, to allow Francine Coleman to renew her temporary permit again. Motion carried unanimously.

SUMMARY REPORTS ON DISCIPLINE AND RULES

This is an informational item.

REPORT ON MEETING OF LEGISLATIVE COUNCIL SPECIAL COMMITTEE ON TELEMEDICINE ISSUES

Both Tom Neumann and Legal Counsel Wayne Austin have testified before this group. Mr. Neumann told the Special Committee about the Mutual Recognition Model. There was a good deal of interest in this, particularly from Representative Urban. He, as well as other committee members, asked questions about the concept. Some members of this committee are also interested in faster reciprocity and national licensure.

REPORT OF RULES COMMITTEE

Legal Counsel told the Board that the Rules Committee is recommending that a clarification be done in the rules governing endorsement to specify that the applicant must hold a current license in another state or jurisdiction.

MOTION: June Bahr moved, seconded by Marilyn Panka, to accept the recommendation of the Rules Committee to clarify that an applicant for licensure by endorsement must hold a current license elsewhere. Motion carried unanimously.

NCSBN UPDATES

Board members noted this information from the National Council.

CGFNS NEWS RELEASE

It was noted that this information relates only to those who want permanent immigrant status and that they must meet all state requirements and obtain temporary permits if they wish to be employed before having passed the licensure examination.

REPORT FROM PEW HEALTH PROFESSIONS COMMISSION OF OCTOBER 1998

Board members noted this report. There was particular interest in recommendations #8 and #10.

NCLEX REPORTS

Tom Neumann observed that the National Council raised the passing standards for NCLEX-RN last April which may account for the lower passing rate for some schools. He also mentioned various other factors which may influence these rates.

LETTER TO MADELINE WAKE AT MARQUETTE UNIVERSITY

The Board reviewed the letter which Legal Counsel had drafted to Madeline Wake, Dean of the School of Nursing at Marquette University and approved of it.

WISCONSIN NURSING COALITION MINUTES

This is an informational item.

MEETINGS AND SPEAKING ENGAGEMENTS FOR T NEUMANN

This is an informational item.

SUMMARY OF DIGEST ARTICLES

This summary is meant to be a guide on practice questions and other subjects of interest which have appeared in the Regulatory Digest. It only includes those articles thought to be still current. Tom Neumann will suggest other articles from past Digest editions which should be included in the Summary.

CORRESPONDENCE

The first of these letters came to the Board as it is from an endorsement candidate and it was thought to be concerned with the rule considered in the Rules Committee meeting; however, since the person does hold a current license elsewhere, it is not the same situation. The second letter thanked Tom Neumann for having spoken at the WALPN Seminar in October and asked about refresher courses. Mr. Neumann told the Board that most Wisconsin schools are not currently offering these. Nurses may take correspondence-type courses, such as that offered by the North Dakota Nurses' Association, as a refresher.

RECESS TO CLOSED SESSION

MOTION: Tim Burns moved, seconded by Linda Sanner, to recess to closed session pursuant to Chapter 19.85(1)(a), (b), (f) and (g), Wis. Stats., for the purpose of deliberation on Proposed Stipulations, deliberation on an Order Fixing Costs, consideration of removal of a participant from IPP, consideration of requests for removal of license limitations, consideration of requests for changes in Board Orders, consideration of requests for license reinstatements, reviewing requests for suspension of licenses, reviewing case status reports, conducting oral interviews with applicants and

consulting with Legal Counsel. Roll call vote: June Bahr - yes, Ann Brewer - yes, Tim Burns - yes, Joel Garlock - yes, Jackie Johnsrud - yes, Ruth Lindgren - yes, Marilyn Panka - yes, Linda Sanner - yes, Mac Weddle - yes. Motion carried unanimously.

Open session recessed at 3:55 p.m.

RECONVENE IN OPEN SESSION

MOTION: Ann Brewer moved, seconded by Linda Sanner, to reconvene in open session. Motion carried unanimously.

Open session reconvened at 10:55 a.m. on January 29, 1999.

MOTION: Ann Brewer moved, seconded by June Bahr, to confirm all motions made during closed session. Motion carried unanimously.

ITEMS CONSIDERED/DELIBERATED ON IN CLOSED SESSION

PROPOSED STIPULATIONS

MOTION: Linda Sanner moved, seconded by Mac Weddle, to accept the Findings of Fact, Conclusions of Law and Order in the Matter Concerning Vincent W. Bergstrom, RN, APNP. Ann Brewer abstained. Motion carried.

MOTION: Linda Sanner moved, seconded by June Bahr, to accept the Findings of Fact, Conclusions of Law and Order in the Matter Concerning Kathleen M. Boldus, RN. Ann Brewer abstained. Motion carried.

MOTION: Ruth Lindgren moved, seconded by Marilyn Panka, to accept the Findings of Fact, Conclusions of Law and Order in the Matter Concerning Marilyn D. Frame, LPN. Ann Brewer abstained. Motion carried.

MOTION: Linda Sanner moved, seconded by Marilyn Panka, to accept the Findings of Fact, Conclusions of Law and Order in the Matter Concerning Penny A. Grosskreutz, RN. Ann Brewer abstained. Motion carried.

MOTION: Linda Sanner moved, seconded by June Bahr, to accept the Findings of Fact, Conclusions of Law and Order in the Matter Concerning Susan M. McLean, RN. Motion carried unanimously.

MOTION: Jackie Johnsrud moved, seconded by Marilyn Panka, to accept the Findings of Fact, Conclusions of Law and Order in the Matter Concerning Christine V. Milkey, RN. Ann Brewer abstained. Motion carried.

MOTION: Ruth Lindgren moved, seconded by Marilynn Panka, to accept the Findings of Fact, Conclusions of Law and Order in the Matter Concerning Barbara S. Peterson, RN. Ann Brewer abstained. Motion carried.

MOTION: Linda Sanner moved, seconded by Marilynn Panka, to accept the Findings of Fact, Conclusions of Law and Order in the Matter Concerning Debra J. Showen, RN. Ann Brewer abstained. Motion carried.

MOTION: Linda Sanner moved, seconded by Ruth Lindgren, to accept the Findings of Fact, Conclusions of Law and Order in the Matter Concerning Debbie Cline Tadyshak, RN. Marilynn Panka abstained. Motion carried.

MOTION: Ruth Lindgren moved, seconded by Linda Sanner, to accept the Findings of Fact, Conclusions of Law and Order in the Matter Concerning Judy Ann Tischer, LPN. Ann Brewer abstained. Motion carried.

MOTION: Linda Sanner moved, seconded by Marilynn Panka, to accept the Findings of Fact, Conclusions of Law and Order in the Matter Concerning Jean M. Metz, RN. Motion carried unanimously.

MOTION: Ann Brewer moved, seconded by Linda Sanner, to accept the Findings of Fact, Conclusions of Law and Order in the Matter Concerning Lenny Saindon, RN. Motion carried unanimously.

MOTION: Ann Brewer moved, seconded by Marilynn Panka, to accept the Findings of Fact, Conclusions of Law and Order in the Matter Concerning Eileen Ann Murphy, RN. Motion carried unanimously.

MOTION: Ruth Lindgren moved, seconded by June Bahr, to accept the Findings of Fact, Conclusions of Law and Order in the Matter Concerning Marcia Brandner, RN. Linda Sanner abstained. Motion carried.

MOTION: Ruth Lindgren moved, seconded by Marilynn Panka, to accept the Findings of Fact, Conclusions of Law and Order in the Matter Concerning Linda D. Carter, RN. Motion carried unanimously.

MOTION: Ann Brewer moved, seconded by Marilynn Panka, to accept the Findings of Fact, Conclusions of Law and Order in the Matter Concerning Sandra E. Ritter, RN. Motion carried unanimously.

MOTION: Jackie Johnsrud moved, seconded by Linda Sanner, to accept the Order Fixing Costs in the Matter Concerning Maureen E. Korpela, RN. Motion carried unanimously.

CONFIRMATION OF BOARD ORDER

MOTION: Ruth Lindgren moved, seconded by Marilyn Panka, to confirm the previous Board Order for Vanessa Mendoza Darrell. Tim Burns abstained. Motion carried.

DISMISSAL FROM IPP

MOTION: Marilyn Panka moved, seconded by Jackie Johnsrud, to remove participant "L. S." from IPP. Motion carried unanimously.

CHANGES IN BOARD ORDERS

MOTION: Marilyn Panka moved, seconded by Linda Sanner, to grant access to controlled substances to JasAnn Rhinehart, RN. Motion carried unanimously.

MOTION: Ann Brewer moved, seconded by Linda Sanner, to grant a reduction in the number of therapy sessions from four to two per month for Pamela Peters, RN. Motion carried unanimously.

MOTION: Ruth Lindgren moved, seconded by Marilyn Panka, to grant a 3-month stay of suspension to Joanne Savage, RN, and to reduce her therapy sessions and drug screens to one each per month. Motion carried unanimously.

MOTION: June Bahr moved, seconded by Marilyn Panka, to reduce therapy sessions and drug screens to two each per month for Mary Trahan, RN. Motion carried unanimously.

MOTION: Linda Sanner moved, seconded by June Bahr, to grant a 3-month stay of suspension and access to controlled substances to Elizabeth VanderHyden, RN; the remainder of the original Board Order shall remain in place. Motion carried unanimously.

STAYS OF SUSPENSION

MOTION: Marilyn Panka moved, seconded by June Bahr, to deny a stay of suspension to Nancy Wall, RN. Ann Brewer abstained. Motion carried.

MOTION: June Bahr moved, seconded by Marilyn Panka, to deny a stay of suspension to Adrian Jochems-Brown, RN. Motion carried unanimously.

MOTION: Marilyn Panka moved, seconded by June Bahr, to grant a 3-month stay of suspension to Russell Eaton, RN, although he is not currently employed and is not getting drug screens or therapy, with the understanding that the two-year time period will not start until he is able to fully comply with the Board Order; the Department Monitor is allowed to make this decision for all such cases. Motion carried unanimously.

REQUESTS FOR SUSPENSION

MOTION: Ann Brewer moved, seconded by June Bahr, to suspend the license of Julie Gengler, LPN, as she is not in compliant with her Board Order. Motion carried unanimously.

MOTION: Ann Brewer moved, seconded by June Bahr, to suspend the license of Lola Sherrell Boyd, LPN, as she is not in compliance with her Board Order. Motion carried unanimously.

REQUESTS FOR REMOVAL OF LIMITATIONS

MOTION: Ann Brewer moved, seconded by Linda Sanner, to remove all limitations on the license of Barbara Floyd, LPN. Motion carried unanimously.

MOTION: Linda Sanner moved, seconded by Marilyn Panka, to remove all limitations on the license of Linda Humblet Elliot, LPN. Motion carried unanimously.

MOTION: June Bahr moved, seconded by Ruth Lindgren, to remove all limitations on the license of Michelle Quandt, RN. Motion carried unanimously.

ORAL INTERVIEWS

MOTION: Marilyn Panka moved, seconded by June Bahr, to grant a 3-month stay of suspension to Christele Williams, RN. Motion carried unanimously.

MOTION: Ruth Lindgren moved, seconded by June Bahr, to grant a limited license to Patricia Daschner, RN, for the express purpose of taking a refresher course. Motion carried unanimously.

MOTION: June Bahr moved, seconded by Linda Sanner, to grant a limited license to Rita Brahm, RN, for the express purpose of taking a refresher course. Motion carried unanimously.

MOTION: June Bahr moved, seconded by Marilyn Panka, to grant unrestricted licensure to Christine M. Armentano, RN. Motion carried unanimously.

CASE STATUS REPORT

MOTION: Linda Sanner moved, seconded by Joel Garlock, to close complaint 98 NUR 133 for no violation. Ruth Lindgren abstained. Motion carried.

MOTION: Marilyn Panka moved, seconded by June Bahr, to close complaint 98 NUR 037 for no violation. Linda Sanner abstained. Motion carried.

- MOTION: Linda Sanner moved, seconded by June Bahr, to close complaint 98 NUR 212 administratively. Ann Brewer abstained. Motion carried.
- MOTION: Jackie Johnsrud moved, seconded by Marilyn Panka, to close complaint 98 NUR 217 for no violation. Joel Garlock abstained. Motion carried.
- MOTION: Marilyn Panka moved, seconded by June Bahr, to close complaint 98 NUR 150 for prosecutorial discretion. Linda Sanner abstained. Motion carried.
- MOTION: Ruth Lindgren moved, seconded by Linda Sanner, to close complaint 97 NUR 158 for prosecutorial discretion, P 5, and put the Respondent's license renewal on a "hold" status. Ann Brewer abstained. Motion carried.
- MOTION: Linda Sanner moved, seconded by June Bahr, to close complaint 98 NUR 167 for no violation. Tim Burns abstained. Ann Brewer abstained. Motion carried.
- MOTION: Linda Sanner moved, seconded by June Bahr, to close complaint 98 NUR 192 for prosecutorial discretion, P 7. Ann Brewer abstained. Ruth Lindgren took no part in the deliberation and abstained. Motion carried.
- MOTION: Linda Sanner moved, seconded by June Bahr, to close complaint 98 NUR 179 for no violation. Tim Burns abstained. Motion carried.
- MOTION: Marilyn Panka moved, seconded by June Bahr, to close complaint 98 NUR 124 for insufficient evidence. Ann Brewer abstained. Motion carried.
- MOTION: Marilyn Panka moved, seconded by Linda Sanner, to close complaint 97 NUR 084 for insufficient evidence. Ruth Lindgren abstained. Motion carried.
- MOTION: Marilyn Panka moved, seconded by June Bahr, to close complaint 98 NUR 125 for insufficient evidence. Ann Brewer abstained. Motion carried.
- MOTION: Ann Brewer moved, seconded by Marilyn Panka, to close complaint 98 NUR 135 for insufficient evidence. Jackie Johnsrud abstained. Motion carried.
- MOTION: June Bahr moved, seconded by Linda Sanner, to close complaint 95 NUR 030 for insufficient evidence. Marilyn Panka abstained. Motion carried.
- MOTION: Linda Sanner moved, seconded by June Bahr, to close complaint 98 NUR 055 for no violation. Tim Burns abstained. Motion carried.
- MOTION: Linda Sanner moved, seconded by June Bahr, to close complaint 98 NUR 137 for prosecutorial discretion, P 2. Mac Weddle abstained. Motion carried.

ADJOURNMENT

MOTION: Linda Sanner moved, seconded by Ann Brewer, to adjourn the meeting.
Motion carried unanimously.

The meeting adjourned at 10:56 a.m.

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